The Planning Inspectorate

# Appeal Decision

Site visit made on 15 March 2017

**by Mr Kim Bennett BSc DipTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 21 March 2017**

**Appeal Ref: APP/L3625/D/17/3168166**
**3 Court Haw, Woodmansterne SM7 3NG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr James Hughes against the decision of Reigate and Banstead Borough Council.
- The application Ref 16/02678/HHOLD, dated 14 November 2016, was refused by notice dated 10 January 2017.
- The development proposed is the construction of a new two storey side extension for the provision of two bedrooms.

## Decision

1. The appeal is allowed and planning permission is granted for the construction of a new two storey side extension for the provision of two bedrooms at 3 Court Haw, Woodmansterne SM7 3NG in accordance with the terms of the application, Ref 16/02678/HHOLD, dated 14 November 2016, subject to the following conditions:

   1) The development hereby permitted shall begin not later than three years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: L145A01; L145A02; L145A03; L145A04/2; L145A05/2; L145A06/1 and L145A07/1.

   3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

## Main Issues

2. The main issues are: Whether the proposal would be inappropriate development in the Green Belt and the effect of the proposal on the appearance and character of the area.

## Reasons

3. The appeal property comprises a semi-detached house located on the eastern side of Court Haw which is a cul-de-sac comprising 9 residential properties. Although there is open land to the rear beyond the cul-de-sac, the road and properties are self-contained and relate more in character to residential areas adjoining to the east and north. However, the whole of the site lies within the Green Belt.

4. A previous extension was refused permission in 2016[1] and the Council advises that the current proposal represents an amended and reduced scheme. Notwithstanding, the Council remains concerned that the bulk and form of the extension, taking into account previous extensions, would amount to inappropriate development which would be harmful to the openness of the Green Belt as a result.

5. There appears to be some discrepancy between the parties in respect of the amount of increased floorspace over the original dwelling. The Council advises that the proposal would result in approximately a 63% increase, whereas the appellant considers it would be 43%. The Council considers that the garage was part of the original floorspace and both parties refer to a side extension and conservatory since that time. It is not clear from the evidence before me whether the side extension included what is currently annotated as the living room on the ground floor plan, or just the utility room to the rear. Either way the visual result is a somewhat elongated single storey projection on the northern side of the property, incorporating the living room and the garage. I noted that there were similar projections/extensions on other properties in the cul-de-sac.

6. Although the numerical calculations reflect changes over the original size of the property, the Council's approach towards extensions to dwellings in the Green Belt is set out in Policy HO24 of its Local Plan 2005 (LP). That Policy says that extensions will be permitted subject to 3 criterion. Criterion (ii) and (iii) are relevant in this instance, which say respectively that extensions should not be disproportionate over and above the original dwelling and that they should not detract from the character of the existing dwelling or the area. Amplification of the Policy explains that assessment of whether an extension is disproportionate or not will depend upon the form, bulk and height of the extension compared to the original dwelling.

7. The Policy is generally consistent with the National Planning Policy Framework (the Framework) which says in paragraph 89 that one exception of inappropriate development is an extension which does not result in a disproportionate addition over and above the size of the original building.

8. Having regard to the above, the siting of the garage as part of the original building with the living room located in between that and the main two storey part of the building, has given rise to a somewhat disproportioned appearance. The utility room at the rear and the conservatory are not visible from outside the site and therefore do not impact upon the overall character of the property. The proposed extension would be well designed with a significant setback to the front elevation, lower ridge height and matching fenestration and materials. Although sizeable, it would still be subservient to the main dwelling and importantly, would give the building a better balance and overall proportion than currently exists. For these reasons I find that it would not amount to a disproportionate addition based on bulk, form and height.

9. In terms of impact upon the character of the immediate area, I noted that there are similar side extensions at No 2 and No 8 and therefore the proposed development would not appear out of place in the cul-de-sac. I also note that

[1] Application Reference 16/00860/HHOLD

the Council raises no objections in terms of design and character and that the proposed extension would be more in accordance with its Supplementary Planning Guidance for Householder Extensions and Alterations.

10. In terms of effect on openness of the Green Belt my findings on inappropriateness means that by implication, it should not be regarded as harmful within the context of advice within the Framework. However, notwithstanding that, given the self-contained nature of the cul-de-sac and the fact that the proposed extension would be scarcely visible, if at all, from outside the road, there would be no adverse impact upon the openness of the surrounding Green Belt land.

11. In the light of the above the proposed development would comply with Policies CS3 of the Council's Core Strategy 2014 and Policies Co1, Ho9 and Ho24 of the LP, in that it would constitute sustainable development, would not amount to a disproportionate addition over and above the original dwelling and therefore would not be inappropriate development, would be well designed and would not be out of character with either the host dwelling or the immediate area.

12. Conditions requiring the development to be built in accordance with the approved plans and for matching materials, are necessary in the interests of certainty and visual amenity.

13. Accordingly, the appeal should be allowed and planning permission granted.

*Kim Bennett*

INSPECTOR